

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hidekazu YONEYAMA et al.

Serial No. 10/695,409

Filed: October 27, 2003

For: LENS DRIVING DEVICE

Patent No. : 6,856,469

Issued Date: February 15, 2005

PETITION UNDER 37 CFR § 1.182 TO
CORRECT INVENTORSHIP OF U.S. PATENT
6,856,469

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
first class mail in an envelope addressed
to:

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 24, 2005

Date of Deposit

Juanita Soberanis

Name

Juanita Soberanis 10/24/2005

Signature

Date

Patentee hereby petitions the Commissioner under 37 CFR 1.182 for correction of inventorship in U.S. Patent 6,856,469. In particular, Tsuneo SATO and Hayato NAITO should be added as inventors.

Enclosed is a copy of the Declaration in this application, printed from the publicly available PAIR records and showing the USPTO OIPE stamp of receipt on March 8, 2004. The Declaration is three pages in length, with the signatures of two of the seven inventors, Tsuneo SATO and Hayato NAITO, occurring on the third page of the declaration. Thus, it is apparent that the USPTO erred in this application by including only the five inventors from the first two pages of the declaration, and omitting the two inventors from the last page of the declaration.

Applicant attempted to correct this matter via a Certificate of Correction, as this is clearly a USPTO error. Enclosed is a copy of the decision denying applicant's request. The decision states, in particular, that the USPTO prints the inventors' addresses and names "solely in accordance with the typed/printed names and addresses on the Declaration". In this case, however, as clearly shown by the

enclosed stamped copy of the Declaration, the USPTO did not carry out this responsibility.

Please charge the petition fee of \$130.00 under 37 CFR 1.17(f), and any additional fees due, to our Deposit Account No. 50-1314. Please charge any deficient fees in connection with the filing of this petition or credit any overpayment to our Deposit Account No. 50-1314. A copy of this Petition is enclosed.

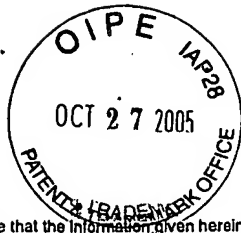
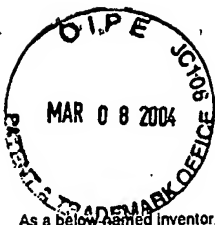
Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: October 24, 2005

By: 

Troy M Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701



PATENT (U.S.A.)
ATTORNEY'S DOCKET NO.81868.0105

DECLARATION
and POWER OF ATTORNEY

☒ ORIGINAL
☐ CONTINUATION
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed as 1 below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:
Lens Driving Device

the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 27, 2003 as United States Application Number or PCT International Application Number 10/695,409 and was amended on.

My residence, post office address and citizenship are as stated below next to my name.

I acknowledge my duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
Japan	2002-353040	December 4, 2002	Yes

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)

(Filing Date)

(Status)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. ☒ Customer Number **000026021**



26021

PATENT TRADEMARK OFFICE

Send correspondence to:

☒ Customer Number

000026021

Hogan & Hartson L.L.P.
500 South Grand Avenue, Suite 1900
Los Angeles, California 90071

DIRECT TELEPHONE CALLS TO:
Michael Crapenhof
213-337-6700

(Please Print)

1	Name of Inventor Hidekazu Yoneyama	Residence: CITY Nagano	STATE or COUNTRY JAPAN
	Post Office Address c/o SANKYO SEIKI MFG. CO., LTD., No.5329,Shimosuwa-machi,Suwa-gun,Nagano,Japan		CITIZENSHIP Japanese
2	Name of Inventor Yuji Fujita	Residence: CITY Nagano	STATE or COUNTRY JAPAN
	Post Office Address c/o SANKYO SEIKI MFG. CO., LTD., No.5329,Shimosuwa-machi,Suwa-gun,Nagano,Japan		CITIZENSHIP Japanese
3	Name of Inventor Takahiro Azuma	Residence: CITY Nagano	STATE or COUNTRY JAPAN
	Post Office Address c/o SANKYO SEIKI MFG. CO., LTD., No.5329,Shimosuwa-machi,Suwa-gun,Nagano,Japan		CITIZENSHIP Japanese
4	Name of Inventor Shinichi Kudo	Residence: CITY Nagano	STATE or COUNTRY JAPAN
	Post Office Address c/o SANKYO SEIKI MFG. CO., LTD., No.5329,Shimosuwa-machi,Suwa-gun,Nagano,Japan		CITIZENSHIP Japanese
5	Name of Inventor Toshitumi Tsuruta	Residence: CITY Nagano	STATE or COUNTRY JAPAN
	Post Office Address c/o SANKYO SEIKI MFG. CO., LTD., No.5329,Shimosuwa-machi,Suwa-gun,Nagano,Japan		CITIZENSHIP Japanese

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 <i>Hidekazu Yoneyama</i>	SIGNATURE OF INVENTOR 2 <i>Yuji Fujita</i>
DATE <i>February 12, 2004</i>	DATE <i>February 10, 2004</i>
SIGNATURE OF INVENTOR 3 <i>Takahiro Ozuma</i>	SIGNATURE OF INVENTOR 4 <i>Shinichi Kudo</i>
DATE <i>February 12, 2004</i>	DATE <i>February 20, 2004</i>
SIGNATURE OF INVENTOR 5 <i>Toshifumi Tsuruta</i>	SIGNATURE OF INVENTOR 6
DATE <i>February 10, 2004</i>	DATE



PATENT (U.S.A.)
ATTORNEY'S DOCKET NO.
81868.0105

DECLARATION
and POWER OF ATTORNEY

☒ ORIGINAL
☐ CONTINUATION
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed as 1 below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Lens Driving Device

The specification of which is attached hereto unless the following box is checked:

☒ was filed on October 27, 2003 as United States Application Number or PCT International Application Number 10/695,409 was amended on.

My residence, post office address and citizenship are as stated below next to my name.

I acknowledge my duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
Japan	2002-353040	December 4, 2002	Yes

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.) (Filing Date) (Status)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. ☒ Customer Number **000026021** →



26021

PATENT TRADEMARK OFFICE

Send correspondence to:

☒ Customer Number **000026021**

Hogan & Hartson L.L.P.
500 South Grand Avenue, Suite 1900
Los Angeles, California 90071

DIRECT TELEPHONE CALLS TO:
Michael Crapenhof
213-337-6700

(Please Print)

6	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Tsuneo Sato	Nagano	JAPAN
7	Post Office Address	CITIZENSHIP	
	c/o SANKYO SEIKI MFG. CO., LTD., 5329 Shimosuwa-machi, Suwa-gun, Nagano Japan	Japanese	
8	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Hayato Naito	Nagano	JAPAN
9	Post Office Address	CITIZENSHIP	
	c/o SANKYO SEIKI MFG. CO., LTD., 5329 Shimosuwa-machi, Suwa-gun, Nagano Japan	Japanese	
10	Name of Inventor	Residence: CITY	STATE or COUNTRY
11	Post Office Address	CITIZENSHIP	

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 6	SIGNATURE OF INVENTOR 7
<i>Tsuneo Sato</i>	<i>HAYATO NAITO</i>
DATE <i>February 10, 2004</i>	DATE <i>February 12, 2004</i>
SIGNATURE OF INVENTOR 8	SIGNATURE OF INVENTOR 9
DATE	DATE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sankyo Seibi
TMG
8/26/05

Date: *8-24-05*

COPY FOR YOUR
INFORMATION

Patent No. : 6,856,469
Inventor: Hidekazu Yoneyama, et. al.
Issued: February 15, 2005
For: LENS DRIVING DEVICE

THIS MATTER DOCKETED
FOR 10/24/05 - Petition due (week)

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rules 1.322 and 1.323.

Respecting the alleged error of the inventor's addresses and names, the inventor's addresses and are printed in accordance with the Declaration submitted at the time of filing the application. Therefore, no correction is in order here under Rules 1.322 or 1.323.

In view of the foregoing, your request is hereby denied.

A petition under C.F.R. 1.82 is required to correct the alleged error in incorrect inventor's name or order of inventor's names, since the inventor's address and name is printed solely in accordance with the typed/printed names and addresses on the Declaration. Since the result of applicant's failure to comply with requirements that the complete and correct names and addresses be indicated, no correction is in order here under the provisions of Rule 1.322 or 1.323, unless a petition is granted.

Any petition under 37 CFR 1.182 should be directed to the attention of the Assistant Commissioner for Patents, using the following mailing address or Fax number.

Any request under 37 CFR 1.182 should be directed to the following address or facsimile number:

BY main: Mail Stop Petitions
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By Fax: (703) 872-9306
Attn: Office of Petitions

RECEIVED
SEP 20 2005
DOCKETING

Further correspondence concerning this matter should be filed and directed to Decisions and Certificates of Correction Branch. Any response must be filed within a two-month period.

Eva James
For Cecelia B. Newman
Decisions & Certificates
of Correction Branch
(703) 308-9390 ext. 124 or 102

Hogan + Hartson LLP
500 S. Grand Avenue
Suite 1900
Los Angeles CA 90071-2611

es